

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

DOMINICK GIAMPAOLO #R-04860,)	
)	No. 07 C 7154
Plaintiff,)	
)	Hon. John W. Darrah
v.)	Judge Presiding
)	
TERRY McCANN, et al.,)	
)	
Defendants.)	

MOTION FOR EXTENSION OF TIME

NOW COME defendants TERRY McCANN, LEONARD GARBS, CLARENCE WRIGHT, ROBERT CATTANEO, PEGGY WILSON (HESTER), JEFFREY NURSE, CHARLES PHELPS, LT. JACKSON, MICHAEL HOPKINS, CLARENCE EGBE, JOHNNIE FRANKLIN, JENINE DOUGLAS, SEYMOUR WHITE, KRUT JOSEPH, ANTHONY BUSH and LESTER HAWK by and through their attorney LISA MADIGAN, Attorney General of the State of Illinois, and pursuant to F.R.C.P. 6(b)(1), hereby moves this Honorable Court for an extension of time within which to answer or otherwise plead. In support of this motion, defendants state the following:

1. On May 6 2008, Assistant Attorney General Jim Doran received a letter from Plaintiff, Dominick Giampaolo, dated May 1, 2008. Mr. Giampaolo's letter expressed his interest in meeting face to face with AAG Doran to possibly resolve this matter through a settlement agreement.
2. On Thursday, May 29, 2008, AAG Doran met with Mr. Dominick Giampaolo at the Danville Correctional Center located in Vermilion County, Illinois. At that meeting Plaintiff submitted his settlement demands to AAG Doran and also discussed the possibility of resolving this matter through settlement.

3. Counsel for the defendants is now awaiting settlement authority from the Department of Corrections. Counsel for the Defendants believe that they will have the information regarding the Department's position on Plaintiff's settlement demands within 30 days, at which time settlement discussions would be complete.

4. It is the Defendants position that this matter can be resolved through a settlement agreement and therefore would like the opportunity to continue settlement discussions with the Plaintiff before filing an answer.

5. Defendants respectfully requests an extension of 30 days to file an answer or otherwise plead.

6. This motion is brought in good faith and in the interest of judicial economy and not for purposes of delay and the plaintiff will not be unduly prejudiced by the granting of this motion.

WHEREFORE, the defendants request a 30-day extension of time so that they may be allowed to resolve this matter through settlement.

Respectfully submitted,

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